

## TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 11 1958  
 Returned to applicant for correction \_\_\_\_\_  
 Corrected application filed \_\_\_\_\_

The undersigned Frank McCleary Cattle Co.  
Name of applicant  
 of Winnemucca (Paradise Valley), County of Humboldt,  
 State of Nevada, hereby make S application for  
 permission to appropriate the public waters of the State of Nevada, as  
 hereinafter stated. (If applicant is a corporation, give date and place  
 of incorporation.) State of Nevada, February 7, 1952

1. The source of the proposed appropriation is Cottonwood Creek and tri-  
Name of stream, lake or other source  
butaries, one tributary being West Fork of Martin Creek
2. The amount of water applied for is One Hundred (100) second-feet.  
One second-foot equals 40 miners' inches
3. The water to be used for Irrigation and domestic  
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:  
SE $\frac{1}{4}$  Sec. 36, T. 41 N., R. 39 E., M.D.B.&M. or at a point from which  
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
the SE corner of said Sec. 36 bears S. 32° E. 61 feet.

## IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is 20,000 in whole or in part.  
Lies in Twps. 39 and 40 N., Rs.
- (b) Description of land to be irrigated 39 and 40 E., M.D.B.&M. The water  
Describe by legal subdivision, or if on unsurveyed land it should  
herein applied for is referred to and covered by companion applications  
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.  
filed simultaneously herewith and this application and said other appli-  
cations are to be considered as supplementing each other. All or parts  
of Sections 1, 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35 and 36. T. 40 N., R.  
39 E., M.D.B.&M. All or parts of Sections 6, 7, 17, 18, 19, 30 and 31. T.  
40 N., R. 40 E., M.D.B.&M. Portion of Section 1, T. 39 N., R. 39 E.,  
M.D.B.&M.
- (c) Use will begin about Jan. 1st and end about Dec. 31st, of each year.  
Month Month

## IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is \_\_\_\_\_ horsepower.
- (e) Place of use \_\_\_\_\_  
Give location of place of use by legal subdivision
- (f) Point of return of water to stream \_\_\_\_\_  
Describe in same manner as point of diversion
- (g) State number and kinds of animals to be watered \_\_\_\_\_

(h) Use will begin about \_\_\_\_\_ and end about \_\_\_\_\_, of each year.  
 Applicant has vested rights to certain waters of the sources but due to  
 (i) Remarks existing physical, climatic and other conditions & limita-  
tions water to supply these lands is not always available to fill appli-  
cants necessities and rights during the season between April 1st and Oct  
1st of each year. This filing is made in order to take advantage of the  
flood and normal supply throughout the year when available and to use it  
to supply the underground water table and hold it at a safe level for  
crops and pasture. Martin Creek is deemed to be a tributary of Cotton-  
wood Creek through the West branch of Martin Creek where the waters of  
the West branch have heretofore joined Cottonwood Creek.

**DESCRIPTION OF PROPOSED WORKS**

Concrete, rock and timber diversion dams and headgates of 200 c.f.s.  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water  
capacity. The existing irrigation system of sloughs, ditches and channels  
is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.  
of various sizes will be used and enlarged where necessary.

5. Estimated cost of works \$15,000.00 to \$20,000.00

6. Estimated time required to construct works Five years

This application is included as a part of a companion application herein

7. Remarks referred to for the purpose of diverting water into applicant's irrigation system which consists of Cottonwood channel as well as numerous sloughs as ditches.

FRANK McCLEARY CATTLE CO., Applicant.

By s/ Frank McCleary

Compared HS/LB

Protested June 3, 1958 by Dwight G. Vedder; 6-23-58 by A. C. Buckingham & Sons; by R. H. Swartz; & by Wm. Stock Farming Co. 6-25-58 by Bullhead Cattle Co.

**DENIAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ <sup>deny</sup> the same, ~~subject to the following limitations and conditions~~ on the grounds that there is no unappropriated water in the source during the irrigation season and that the granting therefore, would ~~impair~~ <sup>impair</sup> the value of existing rights and be detrimental to the public welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second.

Actual construction work shall begin on or before \_\_\_\_\_

Proof of commencement of work shall be filed before \_\_\_\_\_

Work must be prosecuted with reasonable diligence and be completed on or before \_\_\_\_\_

Proof of completion of work shall be filed before \_\_\_\_\_

Application of water to beneficial use shall be made on or before \_\_\_\_\_

\_\_\_\_\_. Proof of the application of water to beneficial use must be filed with State Engineer on or before \_\_\_\_\_

Map filed May 15, 1950 under/ 13320 WITNESS MY HAND AND SEAL this 8th day

Commencement of work filed \_\_\_\_\_ of May, 1964

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

Recorded \_\_\_\_\_ Bk. \_\_\_\_\_ Page \_\_\_\_\_

EIMO J. DERICCO

State Engineer

By: George W. Hennen  
 Assistant State Engineer